REMARKS

Claims 1-52 remain pending in the present application. Applicant has amended Claims 1-6, 9, 15-20, 23, 29, 30-34, 37, 43-46, and 48 to clarify claimed subject matter and/or correct informalities. The specification and drawings support these claim amendments at least at pages 4-16, Figures 1, and 2. Therefore, these revisions introduce no new matter.

Claims 1-52 are for consideration upon entry of the present Amendment. Applicant requests favorable consideration of this response and allowance of the subject application based on the following remarks.

Statement of Substance of Interview

Applicant appreciates the Office's participation in a telephonic conference of February 6, 2007. Applicant appreciates the Examiner's assistance in advancing the prosecution.

During the interview, the claimed subject matter of the application and the Harmandas reference were discussed. In particular, Applicant presented arguments along the lines of those set forth below in the section entitled "Claim Rejections 35 U.S.C. §103". Specifically, Applicant presented arguments as to how the subject matter in the application contains features, such as reference information that is independent from a data source, and extracting metadata that is proximally located to the reference information.

Also discussed during the interview were proposed amendments to the claims. In the interest of expediting prosecution of the application, and without conceding the propriety of the rejection, Applicant proposed to amend each of the independent claims to further clarify features of Applicant's claimed subject matter.

The Examiner indicated that an updated search would be needed, and requested that the proposed amendments be presented in writing. Applicant is submitting the amendments in writing in the Response to the Office Action.

Objections

The Office has objected to the specification page 1, paragraph [0002], because of the missing related U.S. Patent Application Number. Applicant has amended the specification so this objection is now moot.

The Office has objected to Claims 1-6, 9, 16-18, 20, 23, 30-34, 37, 44-46, and 48 as not specific. In particular, Claim 1 was not clear for identifying reference information and some of the claims recited and/or. Applicant has amended these claims to clarify claimed subject matter. Accordingly, these objections are now moot.

Claim Rejections 35 U.S.C. §101

The Office states Claims 1-20 stand rejected under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. However, Applicant points out that the Office provides explanations for rejecting independent Claims 1, 15, 29, and 43 under §101. Therefore, Applicant will respond to the independent claim rejections.

In the interest of expediting prosecution of the application, and without conceding the propriety of the rejection, Applicant has amended **independent Claim 1** to further clarify Applicant's subject matter for a practical and useful purpose. For example, amended Claim 1 recites in part, "*analyzing the one or more enhanced documents to locate relevance information based on a search query; ranking the one or more enhanced documents based*

on relevance scores; and communicating ranked results and snippet descriptions for the one or more enhanced documents, based on the search query". Support may be found at least at pages 4-16, Figures 1, and 2. Again, no new matter has been introduced.

Independent Claims 15, 29, and 43 have been amended and are directed to computer-readable media and computing devices. Each claim is allowable for reasons similar to those discussed above with respect to Claim 1.

Dependent Claims 2-14, 16-28, 30-42, and 44-52 depend directly or indirectly from one of independent Claims 1, 15, 29, and 43 and are allowable by virtue of this dependency. These claims comply with 35 U.S.C. §101 and as a result, the rejections are now moot.

Claim Rejections 35 U.S.C. § 103

Claims 1-52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over a publication titled "Image retrieval by hypertext links", issued to Harmandas et al., (hereinafter "Harmandas"), further in view of WO International Publication Application No. WO 97/49048 to Li, Yanhong, (hereinafter "Yanhong"). Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejections, and only to advance the prosecution of this application, Applicant has amended **independent Claim 1**, to clarify further features of the subject matter. **Independent Claim 1** as amended, recites:

> A method providing computer-implemented content propagation for enhanced document retrieval, the method comprising:
> identifying reference information directed to one or more documents, <u>wherein</u> the reference information identified from one or more sources of data, is independent <u>from</u> a data source comprising the one or more documents;

> extracting metadata that is proximally located to the reference information, **which is surrounding the reference information and is semantically or contextually related to the reference information;**
>> calculating relevance between respective features of the metadata to content of associated ones of the one or more documents;
>> **indexing associated portions of the metadata with the relevance of features from the respective portions along with relevance scores, into original content of the document, for each document of the one or more documents,**
>>> analyzing the one or more enhanced documents to locate relevance information based on a search query;
>>> ranking the one or more enhanced documents based on relevance scores; and
>>> communicating ranked results and snippet descriptions for the one or more enhanced documents, based on the search query.

References Fail to Teach or Suggest Features of Claim 1

First, Applicant asserts the Office has failed to establish a *prima facie* case of obviousness. For example, Harmandas and Yanhong fail to teach or suggest "reference information identified from one or more sources of data, is independent from a data source comprising the one or more documents; extracting metadata that is proximally located to the reference information, which is surrounding the reference information and is semantically or contextually related to the reference information, indexing associated portions of the metadata with the relevance of features from the respective portions along with relevance scores into original content of the document", as recited in Applicant's Claim 1.

Harmandas is directed a model based on evidence of the text content and hypertext structure of the Web (Abstract). Harmandas indexes a Web collection to identify the documents in the collection and their links (page 297, Section 2.2, lines 27-28). Furthermore, the relevant images are retrieved near the top of the document ranking in Harmandas (page 301, Section 3.3.3, lines 12-14). In contrast, Applicant's Claim 1 recites in part, "the reference information identified from one or more sources of data, is

independent from a data source comprising the one or more documents; extracting metadata that is proximally located to the reference information, which is surrounding the reference information and is semantically or contextually related to the reference information; and indexing associated portions of the metadata with the relevance of features from the respective portions along with relevance scores". In other words, Harmandas defines a model for retrieval using text and hypertext of the web, relevant images retrieved near the top of the document ranking, and indexes a Web collection, while Applicant's Claim 1 is for reference information that is independent from a data source comprising the one or more documents, metadata is proximally located to the reference information, and relevance scores.

Yanhong does not compensate for the deficiencies of Harmandas. Yanhong is directed towards querying index documents in accordance with hyperlinks pointing to those documents (Abstract). The index files created in Yanhong may include a link file 44, an inverted file 46, and a document vector file 48 (page 11, lines 21-22). While Yanhong mentions indexing documents, there is no mention of the sophisticated "indexing associated portions of the metadata with the relevance of features from the respective portions along with relevance scores into original content of the document, for each document of the one or more documents" as recited in Applicant's Claim 1. Thus, Yanhong does not provide what is missing from Harmandas to support a §103 rejection.

Accordingly, Applicant submits that the references relied upon by the Office does not support the rejections made under §103(a). Applicant respectfully requests that the §103 rejection be withdrawn.

Insufficient Evidence of Suggestion or Motivation

Next, to establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings (MPEP §2142). The Office stated the motivation for combining the methods of Harmandas and Yanhong is "because such a modification would allow the method of Harmandas to provide a unique and non-sequential method of accessing information using nodes and links, thereby allowing the non-linear organization of text on the web, therefore improving the accuracy of the content propagation for enhanced document retrieval". However, there is nothing in either of the references that would suggest this motivation.

In addition, Harmandas already improves retrieval effectiveness by weighting higher the image caption section and the two step link section (page 302, col. 2, lines 5-7). Thus, there is no need to combine the two references. The asserted motivation relies on hindsight without evidence of teaching or suggestion to propose the suggested combination. Thus, this rejection is improper for this additional reason.

Independent Claims 15, 29, and 43 are directed to a computer-readable media and computing devices, and each is allowable for reasons similar to those discussed above with respect to Claim 1.

Dependent claims 2-14, 16-28, 30-42, and 44-52 depend directly or indirectly from one of independent Claims 1, 15, 29, and 43 and are allowable by virtue of this dependency. These claims are also allowable for their own recited features that, in combination with those recited in Claim 1, are not taught, or suggested by Harmandas and Yanhong.

Applicant respectfully submits that the cited references do not render the claimed subject matter obvious and that the claimed subject matter, therefore, patentably distinguishes over the cited references. For all of these reasons, the §103(a) rejection of these claims is improper and should be withdrawn.
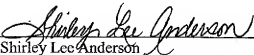
Conclusion

Claims 1-52 are in condition for allowance. Applicant respectfully requests reconsideration and allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, Applicant requests that the Office contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, WA 99201

Dated: _2-06-07_   By: _Shirley Lee Anderson_
                              Shirley Lee Anderson
                              Reg. No. 57,763
                              (509) 324-9256 ext. 258